

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DEMICKO BILLIE THOMAS,)
Petitioner,) CASE NO. C11-2186 RSM
v.) MINUTE ORDER DENYING MOTION
MAGGIE MILLER-STOUT)
Respondent.)

The following MINUTE ORDER is made by direction of the Court, the Honorable Ricardo S. Martinez, Chief United States District Judge:

On January 22, 2018, Petitioner filed a “Motion for Leave to File Amended Certificate of Appealability.” Dkt. #118. Having reviewed the motion, the Court cannot discern the relief that Petitioner is requesting. The Court has not yet reviewed the Magistrate Judge’s Report and Recommendation or Petitioner’s Objections thereto, as they are not noted for consideration until February 9, 2018. While the Magistrate Judge has recommended that no Certificate of Appealability be issued, this Court has not yet made a decision on that recommendation. Thus, no Certificate of Appealability has been issued or denied, and there is nothing to amend at this point in time.

While it is unclear what relief Petitioner is seeking, he appears to suggest that he is seeking additional time and or pages to address the Magistrate Judge's recommendation regarding the Certificate of Appealability. See Dkt. #118. To that end, this Court has

**MINUTE ORDER
PAGE - 1**

1 continuously denied any additional pages of briefing in this matter, and there is nothing in
2 Petitioner's current motion that would warrant a change in that decision. To the extent Petitioner
3 is seeking leave to address any denial of a Certificate of Appealability that this Court may issue
4 after review of the Report and Recommendation and Objections thereto, such a request is
5 premature. Accordingly, Petitioner's Motion for Leave to File Amended Certificate of
6 Appealability (Dkt. #118) is DENIED.
7

8 DATED this 2nd day of February, 2018.

9 WILLIAM McCOOL, Clerk

10 By: /s/ Paula McNabb
11 Deputy Clerk